

1 KEVIN V. RYAN, SBN 118321
United States Attorney
2 JOANN M. SWANSON, SBN 88143
Assistant United States Attorney
3 Chief, Civil Division
SARA WINSLOW, DCBN 457643
4 Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
6 Telephone: (415) 436-7260
Facsimile: (415) 436-7169
7

8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 KENNETH J. SILVA,)	
13 Plaintiff,)	CIVIL NO. 05-00287 PJH
14 v.)	STIPULATION AND ORDER
15 JO ANNE B. BARNHART,)	APPROVING COMPROMISE
16 Commissioner of Social Security,)	SETTLEMENT OF ATTORNEY
17 Defendant.)	FEES PURSUANT TO THE EQUAL
)	<u>ACCESS TO JUSTICE ACT</u>

18 The plaintiff's attorney having met the criteria of L.R. 54-5, by meeting and conferring with
19 defendant, IT IS HEREBY STIPULATED by and between the parties through their undersigned
20 counsel, subject to approval by the Court, that plaintiff's attorney receive the following payment:

21 1. Defendant shall pay FOUR THOUSAND DOLLARS (\$4,000.00), pursuant to the Equal
22 Access to Justice Act (EAJA), for attorney fees incurred in this court action. ¹ The check is to be
23 payable to plaintiff's counsel:

24 KELLY DUNN, HAWKINS LAW CENTER
101 BROADWAY AVE., SUITE 1
25 RICHMOND, CA 94804
(510) 232-6611; FAX 2271
26 Kdunn@hawkinscenter.org

27 2. This is a settlement of plaintiff's request for attorney fees pursuant to EAJA, and does not
28 constitute an admission of liability or fault on the part of defendant under the Equal Access to Justice

1/. This amount includes costs.

1 Act.

2 3. Payment of the FOUR THOUSAND DOLLARS (\$4,000.00) EAJA fees incurred in this
3 court action, will constitute a complete release from and bar to any and all claims, rights, causes of
4 action, liens or subrogated interests relating to attorney fees pursuant to the EAJA as a result of this
5 court action.

6
7
8 Dated: December 7, 2005

/s/
KELLY DUNN
Attorney for Plaintiff

11 KEVIN V. RYAN
12 United States Attorney

13
14 Dated: December 7, 2005

By: /s/
SARA WINSLOW
Assistant United States Attorney

17 PURSUANT TO STIPULATION, IT IS SO ORDERED:
18
19

20
21 Dated: 12/9/05



PHYLLIS J. HAMILTON
United States District Judge